

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**HYUNDAI MOTOR AMERICA, INC.,**

**Plaintiff,**

**VS.**

**CLEAR WITH COMPUTERS, LLC,  
Defendant.**

**CLEAR WITH COMPUTERS, LLC,**

**Plaintiff,**

**VS.**

**HYUNDAI MOTOR AMERICA, INC.,**

**Defendant.**

**CASE NO. 6:08 CV 302**

**CASE NO. 6:09 CV 479**

## ORDER

The Court **GRANTS** the parties' joint request to consolidate the above cases. The 6:09cv479 case will be the lead case. Pursuant to the parties' stated stipulation at the January 4, 2010 status conference, the Court **DISMISSES** the '490 patent from the 608cv302 case. The Court **VACATES** all previous scheduling dates in the 6:08cv302 case. The cases are set as follows:

**Markman Hearing: July 1, 2010 at 9:30 a.m**

**Pretrial Conference: January 20, 2011 at 9:00 a.m.**

**Jury Selection: February 7, 2011 at 9:00 a.m.**

**Jury Trial: February 14, 2011 at 9:00 a.m.**

The parties are to submit agreed Docket Control and Discovery Orders to the Court by

**January 19, 2010.**<sup>1</sup> The parties shall include in the Docket Control Order the name and contact information of their agreed mediator, with the first round of mediation taking place before the claim construction hearing. If the parties cannot agree on a mediator, the Court will appoint one. Requests or motions for extension of time for parties to agree on a mediator will not be considered by the Court.

If the parties are unable to resolve their disagreements concerning the Docket Control and Discovery Orders, the parties shall submit to the Court their competing proposals along with a summary of their disagreements. For purposes of computing the time deadlines under the local patent rules, the Court deems **January 19, 2010** as the effective Rule 16 Initial Case Management Conference date, and thus Plaintiff's P.R. 3-1 and 3-2 disclosures will be due **January 11, 2010**.

**So ORDERED and SIGNED this 5th day of January, 2010.**

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS  
UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> The Court's standard Docket Control Order and Discovery Order are available on the Court's website at <http://www.txed.uscourts.gov/Judges/Davis/Orders&Forms.htm>.